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SUBJECT: CIVIL SOCIETY SPEAKS OUT OVER OTHER RUSSIA ARRESTS

REF: MOSCOW 5528

Classified By: Pol M/C Alice Wells. Reasons: 1.4 (b,d).

#### Summary

1. (C) Liberal politicians and human rights activists praised the President's November 26 criticism of the Russian government's detention of opposition protesters. In response to the Ambassador, Acting FM Denisov described the GOR reaction as "unfortunate" but argued that Other Russian leader Garry Kasparov had courted arrest, with FM Lavrov characterizing the activists as provocateurs. Kasparov remains in detention (and has not "disappeared") along with 10-12 other demonstrators. Several civil society activists were skeptical of Other Russia motives, terming the GOR response "mild," but decried the excessive restrictions placed on demonstrators. One editor attributed the crackdown to electoral unease, with opponents of the government scape-goated as a "fifth-column." Other Russia's repudiation of official ground rules and highlighting of artificial GOR restrictions on demonstrations has succeeded in raising its profile, if not its appeal to the broader Russian public. End summary.

#### Liberals Welcome President's Statement

2. (C) Human rights activists and leading liberals welcomed the President's statement in support of the opposition's right to demonstrate peacefully. Moscow Helsinki Group Chairwoman Lyudmila Alekseeva told us it sent a welcome message to Russia's democrats and reinforced to the Russian leadership that the international community was paying attention. While acknowledging that Putin and his inner circle would rebuff U.S. criticism, independent Duma Deputy Vladimir Ryzhkov argued that it was important for there to be independent assessments of the political evolution underway in Russia. "Nezavisimaya Gazeta" editor Konstantin Remchukov agreed, arguing that when the U.S. and Europe were united, it was more difficult for Russia to argue that GDP mattered more than standards, values, and morals in determining modernity. Stanislav Dmitrievskiy, one of the organizers of the unsanctioned march in Nizhniy Novgorod on November 24, expressed his appreciation for President Bush's statement, saying it showed "a great support for law and human rights" in Russia.

#### Russian Government Reaction to President's Statement

3. (C) On November 26, the Ambassador raised strong concerns with acting Foreign Minister Denisov over the authorities' measures to prevent Other Russia marches in Moscow, St. Petersburg, and Nizhniy Novgorod, and protested the accusations carried in a documentary film on GOR-owned television November 25 alleging U.S. plans to foment an

orange revolution in Russia. Denisov agreed that the overreaction to the Other Russia rallies was "unfortunate," but was caustic about Kasparov's strategy of inciting a police response, noting that "he got exactly what he wanted." Denisov noted the dilemma facing authorities when protesters deliberately chose to break the law, but returned to his original assessment that the weekend's proceedings did not reflect well on Russia. Denisov said that he had not seen the documentary, which he couched in terms of an "overheated" political environment in the lead-up to the December 2 elections, but said he understood the Ambassador's point that the U.S. was scrupulous about adhering to Russian and U.S. laws in the distribution of assistance.

14. (SBU) In Washington, Foreign Minister Lavrov denied to Russian journalists November 27 that law enforcement had exceeded its authority, and termed Other Russia's behavior a provocation. "Everyone knows that in any democratic country there are laws, and those laws must be obeyed," Lavrov said. According to Ministry of Internal Affairs First Deputy Aleksandr Chekalin, Other Russia's St. Petersburg meeting had been financed from abroad. Chekalin argued that the demonstrators were intent on confrontation with the authorities.

#### Kasparov and Other Participants Remain in Custody

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15. (SBU) Kasparov remains in jail after his arrest and conviction on November 24 (reftel). On November 26 a local court upheld his five-day jail sentence. Kasparov spokeswoman Marina Litvinovich told reporters that he will be released from jail at the Moscow City police headquarters on the evening of November 29. Kasparov's mother confirmed to

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us that -- contrary to media reports -- Kasparov has not "disappeared," but remains at the Ministry of Internal Affairs detention facility and received a care package from home today. The local English-language Moscow Times reported that a court spokeswoman said that legal proceedings were initiated against about fifty Other Russia activists suspected of disturbing the peace during Saturday's unsanctioned march, but Litvinovich told us that there are 10-12 Other Russia activists in jail -- including Aleksandr Averin, press secretary for Eduard Limonov's banned National Bolshevik Party; Oleg Kovlovskiy, head of the youth group Oborona; and five of Kasparov's body guards who, like Kasparov, are serving four to five day jail sentences. Litvinovich said that Kasparov had no access to his lawyer, except just before his November 24 trial and November 26 appeal. "For Human Rights" NGO President Lev Ponomarev and Moscow Helsinki Group Chairwoman Lyudmila Alekseeva sent a letter requesting the intervention of Genri Reznik, President of the Moscow Lawyers' Chamber.

16. (SBU) Media reports have walked back other allegations of mistreatment of detainees, with Union of Right Forces Deputy Leonid Gozman's arm now reported to be sore, rather than broken, in the wake of his St. Petersburg detention. (Staff at Gozman's office told us November 26 that Gozman had seen a doctor about his arm, but it was not broken.)

17. (C) Alekseeva was not disturbed by the speed with which Kasparov was sentenced, arguing that it was normal in cases where many individuals had been detained, but expressed strong concern over the government's alleged illegal detention of nine National Bolshevik members over the weekend, all of whom were subsequently sentenced to five days as well. The authorities, she charged, had used detention to prevent the National Bolsheviks from traveling to St. Petersburg for the Sunday rally. Alekseeva told us that one Other Russia participant, from a "radical homosexual" party, had been beaten brazenly by the police in the presence of other witnesses.

18. (SBU) Stanislav Dmitrievskiy, one of the organizers of the unsanctioned march in Nizhniy Novgorod on November 24, told us November 27 that he was fined 2,000 rubles (about USD 80). According to Dmitrievskiy, eight others booked at the same police station were also fined. He said he has protested his treatment -- he was forced to sit on the muddy floor of a bus -- and had seen a doctor for treatment of an injury to his head. He explained that the organizers of the unsanctioned march in Nizhniy Novgorod rejected the alternate site proposed by the local government on principle, since other pro-Kremlin organizations had been able to hold their rallies where they wanted, and there was no legal basis for denying them use of Nizhniy's Gorkiy Square.

#### Civil Society Skeptical About Other Russia Motives

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19. (C) Independent Duma member and outspoken Kremlin critic Vladimir Ryzhkov told us that Kasparov courted arrest after the November 24 Other Russia demonstration by purposefully violating the city order authorizing a stationary rally and leading a group of demonstrators into street traffic. Ryzhkov, who participated in the rally but declined to join the unsanctioned march to the Central Election Commission headquarters, said police behavior at Other Russia's sanctioned rally was "mild" compared to its April gathering, which had been shut down by an overwhelming police presence and heavy-handed tactics. He termed Kasparov's punishment of five days, detention as "nothing," and much less than other two-time violators of the administrative code could reasonably expect. Ryzhkov noted that the politics of opposition solidarity meant that he would not render his opinion about Kasparov publicly; moreover, he would renew his appeal to visit Kasparov in detention, which Duma members are accorded but which, to date, has been rebuffed twice by "higher authorities." (Following his meeting with us, Ryzhkov was again denied access to Kasparov.)

110. (C) Alekseeva likewise classified police reaction to the Saturday event as mild, while decrying the general atmosphere of official "hysteria" that led to overreactions and human rights violations throughout the country. Alekseeva agreed that there was a cat and mouse game between Other Russia and the authorities, but insisted that the city's decision to limit Other Russia to a demonstration was itself a violation of democratic principles. Alekseeva, who was not at the rally, maintained that Kasparov and his followers were peacefully walking towards the Central Election Commission when forcefully detained by militia, with the only violation being Yabloko youth leader Ilya Yashin's dancing on the roof of a privately owned vehicle (which has since earned him a lawsuit by the owner).

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111. (C) Memorial's Grigoriy Shvedov did not give much weight to the protests or to the arrests. "Overall, this is a very positive development for Kasparov: The greatest criticism of him was his lack of political experience. Now, with a little time in jail, he has authentic Russian political experience. He has now risen to Limonov's level." Shvedov was similarly sarcastic about Other Russia as a whole, saying that they, like Zhirinovskiy's Liberal Democratic Party, it was a sideshow for the political class. Ponomarev also noted that the November 24 march was more peaceful than previous ones and that this time the militia did not touch the pensioners who participated in it.

#### Elections Drive Police Overreaction

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112. (C) Remchukov maintained that the government's hyper-sensitivity to Other Russia was a result of two factors: the first, an exaggerated fear of the opposition's ability to undermine Putin's popularity; the second, the need to portray opponents of the Russian President as the fifth

column of the West. The golden rule of politics and journalism in Russia, he noted, was Putin's untouchability. Putin's popularity floated at above 80 percent, Remchukov argued, because there was no daily drip of information about his policy mistakes, his larger-than-government-salary lifestyle, and the foibles of his family, whereas the peccadilloes of the opposition were dissected at length (sometimes with official prodding and financing). This "asymmetrical knowledge" was Putin's most effective tool in winning the "referendum" that the December Duma elections have turned into. Remchukov now believes that the difficulty in transferring Putin's personal popularity to the largely unloved ruling party has increased the incentive to find an "enemy at the gate" with which to rally the electorate. Since oligarchs have already been tamed, a new enemy had to be manufactured, with the West -- and, specifically, the U.S. -- an old standby. Other Russia and human rights activists, with their Western ties and grants, were a convenient "fifth column." As Alekseeva told us separately: "I forget whether I am a British or an American spy."

Comment

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¶13. (C) Acting Foreign Minister Denisov's reaction to the Ambassador's protest in some ways dovetails with that of Kasparov's defenders: Other Russia was intent on confrontation, and got what it was looking for. Other Russia, of course, is intent on demonstrating that opportunities for freedom of expression have shrunk, and on testing the limits of what was an emerging tacit agreement: the authorities would allow Other Russia demonstrations, but on their own terms. That agreement had emerged, painfully, after Other Russia's first demonstrations had been forcibly broken up by the police. After international and domestic outcry, many local authorities had allowed the meetings, and the Other Russia turnout had been underwhelming. In the series of demonstrations this weekend, it appeared that Other Russia in St. Petersburg, Moscow, and Nizhniy Novgorod, fueled by members of SPS whose party has been harassed throughout the election campaign, decided to test the proposition that the authorities can place limits on freedom of expression. Other Russia has succeeded in raising its profile, if not its appeal to the broader public.

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